



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Green River District, Price Field Office

125 South 600 West

Price, UT 84501

Phone: (435) 636-3600 Fax: (435) 636-3657

<http://www.blm.gov/ut/st/en/fo/price.html>



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SEP 13 2011

DIV. OF OIL, GAS & MINING

In Reply Refer To:
3809/3602(UTGO20)
UTU-79570

SEP 12 2011

CERTIFIED MAIL—7010-3090-0002-7831-0375
RETURN RECEIPT REQUESTED

DECISION

Jerome L. Bown, President
Bown Stone Products Inc.
P.O. Box 27
Manti, Utah 84642

**RE: Noncompliance Order; Placer mining claims UMC 380317, and UMC 398550
Bown Stone Products: Desert Sienna Quarry; T. 21 S., R. 8 E., Sections 5 and 6**

Dear Mr. Bown:

A compliance examination of the Bown Stone Products Inc., Desert Sienna Quarry (DSQ) operation under Plan of Operations UTU-79570 in Emery County, Utah, was conducted August 26, 2011. The inspection revealed that the quarry is currently operating and stockpiling mineral materials on pallets for removal and sale. It was also seen that over 20 pallets of quarried material have been removed from on site without the monthly documentation. Moreover, a file review showed that you have not sent the agreed upon documentation for your operations as stated below under paragraph F part 4 of the Escrow Agreement:

The Claimant and the Bureau of Land Management (BLM) have agreed to enter into this stipulation agreement to protect their interests while allowing operations to continue pending the outcome of a mineral examination report and any administrative proceedings. Now, therefore, the Claimant and the BLM, by and through their respective authorized representatives, hereby stipulate as follows:

Once the Escrow has been established, the claimant shall prepare and deliver to the BLM Price Field Office, on a monthly basis, a report as to the quantity of sandstone excavated and removed from the Subject Lands

during the preceding month. The report shall be in a format prescribed by the BLM and shall be submitted no later than the 15th day following the end of the month for which the Claimant is reporting. The Claimant shall maintain and preserve records, maps, and surveys related to production, verification, and valuation as directed by the BLM. Photocopies of scale receipts need to be attached to each month's summaries submitted to the Price Field Office.

Bown Stone Products has only provided production reports for operations up to January 2011 and those were submitted only after being served a Noncompliance Letter in October 5, 2010. Several attempts to communicate with Bown Stone Products Inc. via phone calls have been unsuccessful.

A review of our records indicates the following facts:

- The mine is operational and producing mineral materials for sale;
- Mineral materials have left the property without documentation;
- Bown Stone has not complied with the Escrow Agreement by submitting monthly production reports; and
- Bown Stone has been previously notified of this deficiency.

Based on our field inspection and file review, the Bown Stone Products INC.'s mining activity is now unauthorized and is in violation of their agreement. Specifically, Bown Stone Products Inc. is in violation of the following regulation 43CFR 3602.29. Under authority of 43 CFR 3809.601(a) Bown Stone Products Inc. is ordered to, within 30 days from receipt of this order to: submit production records and escrow receipts for the months commencing with February 2011 and ending August 31, 2011.

If Bown Stone Products Inc. does not comply with this order, the BLM may take further action against you pursuant to 43 CFR 3809.601(b) and issue a Suspension Order for all or part of the Desert Sienna operation. Additionally, action could be taken under the 43 CFR 3809.604.

Appeal of the Decision

If you do not agree and are adversely affected by this decision, you may request that the Utah BLM State Director review this decision. If you request a State Director Review, the request must be received in the Utah BLM State Office (440 West 200 South, Suite 500, Salt Lake City, Utah 84145-0155), no later than 30 calendar days after you receive or have been notified of this decision. The request for State Director Review must be filed in accordance with the provisions in 43 CFR 3809.805. This decision will remain in effect while the State Director Review is pending, unless the State Director grants a Stay. If you request a Stay, you have the burden of proof to demonstrate that the Stay should be granted.

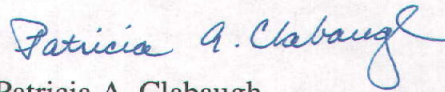
If the State Director does not make a decision on your request for review of the decision within 21 days of receipt of the request, you should consider the request declined and you may appeal this decision to the Interior Board of Land Appeals (IBLA). You may contact the BLM State Office to determine when BLM received the request for State Director Review. You have 30

days from the end of the 21-day period in which to file your Notice of Appeal with this office (125 South 600 West, Price, Utah 84501), which we will forward to IBLA.

If you wish to bypass a State Director Review, this decision may be appealed directly to the IBLA in accordance with the regulations at 43 CFR 3809.801(a)(1). Your Notice of Appeal must be filed in this office within 30 days from receipt of this decision. As the appellant, you have the burden of showing that the decision appealed from is in error.

If you have any question, please call Chris Conrad at 435-636-3667.

Sincerely,



Patricia A. Clabaugh
Field Manager

cc: Terry Snyder UTSO
Stan Perkes UTSO
Michael Jackson RFO
Wayne Western UDOGM